

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS,  
DEL RIO DIVISION**

**ARNULFO REYES, Individually;  
FEDERICO TORRES, JR., Individually  
and as Wrongful Death Beneficiary of  
ROGELIO TORRES, deceased minor;  
AZENETH RODRIGUEZ, Individually  
and as Next Friend of JAYDIEN  
ALEXANDER CANIZSALES, a minor,  
SERGIO GARCIA, Individually and as  
Wrongful Death Beneficiary of UZIYAH  
SERGIO GARCIA, deceased minor;  
ALFRED GARZA, III, Individually and  
as Wrongful Death Beneficiary of  
AMERIE JO GARZA, deceased minor;  
BRIANA RUIZ, Individually and as Next  
Friend of DANIEL GARZA, III, a minor;  
MARIO JIMENEZ, JR., Individually and  
as Next Friend of MARIO JIMENEZ, III,  
a minor; ROSE MARY MORENO,  
Individually and as Next Friend of  
NIKOLAS MORENO, a minor;  
PRISCILLA RUBIO and JULIO RUBIO,  
Individually and as Next Friend of  
MADISON RUBIO, a minor; MONICA  
ARRIOLA, Individually and as Next  
Friend of JEREMY TREVINO, JR., a  
minor; CHRISTOPHER SALINAS,  
Individually and as Next Friend of  
SAMUEL N. SALINAS, a minor,  
*Plaintiffs,***

**v.**

**DANIEL DEFENSE, LLC; DANIEL  
DEFENSE HOLDINGS, LLC; M.C. DANIEL  
GROUP, INC.; FIREQUEST  
INTERNATIONAL, INC.; FLASH CO.,  
INC.; EOTECH, LLC; PROJECT ECHO  
HOLDINGS, LLC D/B/A AMERICAN  
HOLOPTICS; KOUCAR MANAGEMENT,  
LLC; and OASIS OUTBACK, LLC,  
*Defendants.***

**CASE NO. 2-24-cv-00073-AM**

**COMPLAINT AGAINST OASIS  
FOR DAMAGES**

1. Negligence / Negligent Entrustment,  
Plf. Orig. Pet. at ¶¶22.1-22.11
2. Punitive/Exemplary Damages, Plf.  
Orig. Pet. at ¶¶23.1-23.4

Jury Trial Demanded pursuant to Fed. R.  
Civ. P. 38(b)

Removed from Case No. 2024-05-  
35550-CV in the 38th Judicial District  
Court of Uvalde County, Texas



**DEFENDANT OASIS OUTBACK, LLC'S  
MOTION FOR LEAVE TO EXCEED PAGE LIMITS**

Defendant Oasis Outback, LLC (“Oasis”) files this Unopposed Motion for Leave to Exceed Page Limits. Oasis requests leave to file its Rule 12(b)(6) Motion to Dismiss in excess of the Local Rules’ page limits. Oasis respectfully shows as follows:

**BACKGROUND**

This case arises out of the tragic shooting that occurred in Uvalde, Texas on May 24, 2022. Plaintiffs sued Oasis and others, including Daniel Defense, LLC in Texas state court in May 2024, alleging that Oasis negligently transferred and sold firearms and ammunition to the shooter. Oasis was served on June 18, 2024.

On July 12, 2024, Daniel Defense removed this case – before Oasis filed any answer in Texas state court. Contemporaneously with this filing, Oasis files a Rule 12(b)(6) Motion to Dismiss based on the Protection of Lawful Commerce in Arms Act (15 U.S.C. § 7901 *et seq.*) (the “PLCAA”) and Texas law. *See* FED. R. CIV. P. 81 (deadlines in removed cases).

**MOTION FOR LEAVE**

Oasis’s Rule 12(b)(6) Motion sets forth grounds for dismissal of Plaintiffs’ claims pursuant to the PLCAA. Local Rule CV-7(c) limits briefs to twenty pages, exclusive of the caption, signature block, certificates, and accompanying documents. Oasis’s Motion to Dismiss under Rule 12(b)(6) is twenty-two pages, exclusive of the one-page caption and two pages of service and signature block-related material. Given the importance of the issues and significance of the underlying case, Oasis respectfully requests it be granted an additional two pages above the limitation set



forth in CV-7 and for leave to file its motion to dismiss in excess of the page limitations prescribed by Local Rule CV-7(c). Plaintiffs do not oppose this request.

#### **CONCLUSION**

Defendant Oasis Outback respectfully requests the Court grant it leave to file its Rule 12(b)(6) Motion to Dismiss in excess of the page limitations prescribed by Local Rule CV-7(c).



Respectfully submitted,

**GRAY REED**

/s/ A.M. "Andy" Landry, III

A.M. "Andy" Landry III

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-and-

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**ATTORNEYS FOR DEFENDANT  
OASIS OUTBACK, LLC**



### **CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with Plaintiff's counsel concerning this request and that they are unopposed to the relief sought.

/s/ A.M. "Andy" Landry, III  
A.M. "Andy" Landry, III

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was electronically served upon all counsel of record through the CM/ECF system on this 19th day of July, 2024.

/s/ A.M. "Andy" Landry, III  
A.M. "Andy" Landry, III